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South Northamptonshire Council

Committee: Joint Commissioning Committee
Date: Thursday 26 January 2017
Time: 6.30 pm
Venue: The Forum, Moat Lane, Towcester, NN12 6AD

Membership

Councillor Barry Wood (Chairman)	Councillor Ian McCord (Vice-Chairman)
Councillor Ken Atack	Councillor Anthony S. Bagot-Webb
Councillor Phil Bignell	Councillor Rebecca Breese
Councillor Roger Clarke	Councillor Mike Kerford-Byrnes
Councillor Chris Lofts	Councillor G A Reynolds
Councillor Barry Richards	Councillor Dan Sames

AGENDA

1. Apologies for Absence and Notification of Substitutes

2. Declarations of Interest

Members are asked to declare any interest and the nature of that interest that they may have in any of the items under consideration at this meeting.

3. Petitions and Requests to Address the Meeting

The Chairman to report on any requests to submit petitions or to address the meeting.

Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

www.cherwell.gov.uk

South Northamptonshire Council
The Forum
Moat Lane
Towcester
Northamptonshire
NN12 6AD

www.southnorthants.gov.uk

4. Chairman's Announcements

To receive communications from the Chairman.

5. Minutes (Pages 1 - 14)

To confirm as a correct record the Minutes of the meeting held on 1 December 2016 and the Minutes of the Special meeting of the Committee held on 1 December 2016.

6. Urgent Business

The Chairman to advise whether they have agreed to any item or urgent business being admitted to the agenda.

7. Exclusion of the Public and Press

The following item of business contains exempt information as defined in the following paragraphs of Part 1, Schedule 12A of Local Government Act 1972.

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual

Members are reminded that whilst the following item has been marked as exempt, it is for the meeting to decide whether or not to consider it in private or in public. In making the decision, members should balance the interests of individuals or the Council itself in having access to the information. In considering their discretion members should also be mindful of the advice of Council Officers.

Should Members decide not to make a decision in public, they are recommended to pass the following recommendation:

“That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.”

8. Disciplinary Investigation (Pages 15 - 68)

Exempt report of Chief Executive

Information about this Meeting

The agenda, reports and associated documents for the above meeting are available at the offices and websites of Cherwell District Council and South Northamptonshire Council at the addresses and websites set out on the agenda front sheet.

Apologies for Absence

Apologies for absence should be notified to natasha.clark@cherwellandsouthnorthants.gov.uk or 01295 221589 prior to the start of the meeting.

Declarations of Interest

Members are asked to declare interests at item 2 on the agenda or if arriving after the start of the meeting, at the start of the relevant agenda item.

Local Government and Finance Act 1992 – Budget Setting, Contracts & Supplementary Estimates

Members are reminded that any member who is two months in arrears with Council Tax must declare the fact and may speak but not vote on any decision which involves budget setting, extending or agreeing contracts or incurring expenditure not provided for in the agreed budget for a given year and could affect calculations on the level of Council Tax.

Evacuation Procedure

When the alarm sounds you must evacuate the building by the nearest available fire exit. Members and visitors should proceed to the assembly point as directed by Democratic Services staff and await further instructions.

Access to Meetings

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named below, giving as much notice as possible before the meeting.

Mobile Phones

Please ensure that any device is switched to silent operation or switched off.

Queries Regarding this Agenda

Please contact Natasha Clark, Democratic and Elections
natasha.clark@cherwellandsouthnorthants.gov.uk, 01295 221589

Sue Smith
Chief Executive

Published on Wednesday 18 January 2017

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Agenda Item 5

Cherwell District Council and South Northamptonshire Council

Joint Commissioning Committee

Minutes of a meeting of the Joint Commissioning Committee held at The Forum, Moat Lane, Towcester NN12 6AE, on 1 December 2016 at 6.30 pm

Present: Councillor Barry Wood (Chairman), from appointment as Chairman at agenda item 10
Councillor Ian McCord (Vice-Chairman, in the Chair), for agenda items 1 - 10

Councillor Ken Atack
Councillor Anthony S. Bagot-Webb
Councillor Phil Bignell
Councillor Rebecca Breese
Councillor Mike Kerford-Byrnes
Councillor Chris Lofts
Councillor G A Reynolds
Councillor Barry Richards

Substitute Members: Councillor Peter Rawlinson (In place of Councillor Roger Clarke)

Apologies for absence: Councillor Roger Clarke

Officers: Sue Smith, Chief Executive
Paul Sutton, Chief Finance Officer / Section 151 Officer
Adrian Colwell, Head of Strategic Planning and the Economy
Andy Preston, Head of Development Management
James Doble, Interim Assistant Director Transformational Governance
Paula Goodwin, Human Resources and Organisational Development Manager
Claire Cox, HR Business Partner for Community Services
Hedd Vaughan Evans, Transformation Project Manager
Natasha Clark, Interim Democratic and Elections Manager

37 **Declarations of Interest**

There were no declarations of interest.

38 **Petitions and Requests to Address the Meeting**

There were no petitions or requests to address the meeting.

39 **Chairman's Announcements**

There were no Chairman's announcements.

40 **Minutes**

The Minutes of the meeting of the Committee held on 15 September 2016 were agreed as a correct record and signed by the Chairman.

41 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

42 **Recruitment of Joint Chief Executive**

The Joint Chief Executive and Chief Finance Officer submitted a report to seek approval to recruit a Joint Chief Executive along with the pay and package to be offered, to consider the recruitment process including the use of search and recruitment consultants.

Resolved

- (1) That agreement to the recruitment of a Joint Chief Executive be given.
- (2) That having given due consideration to the pay and package for the Joint Chief Executive, the changes to the current terms and conditions, as set out in the exempt minutes, be agreed.
- (3) That it be noted that submissions from the search and recruitment companies had been received and authority be delegated to the Head of Paid Service or her deputy, in consultation with the Leaders of CDC and SNC, to appoint a consultant and agree the terms of the appointment of the preferred bidder and the associated decisions regarding the finalisation of the material for publication including:
 - i. Job advertisement
 - ii. 'Micro site' domain name, if required
 - iii. 'Micro site' copy, including Leaders' letter of introduction
- (4) That the timescale for the recruitment process be noted and that it be further noted that interim arrangements for the Head of Paid Service,

Returning Officer and Electoral Registration Officer positions would be required.

(The only officers present for this item were the Chief Finance Officer, Assistant Director – Transformational Governance and the Interim Democratic and Elections Manager)

43 **Readmittance of the Press and Public**

Resolved

That the press and public be readmitted to the meeting.

44 **Employment Statistics Quarter 2: 1 July to 30 September 2016**

The Head of Transformation submitted a report to present employment statistics for information and monitoring purposes.

In presenting the report, the Human Resources and Organisational Development Manager explained that it was a requirement to report employment statistics by employer. Regarding the vacancy figures, the Committee was advised that as at 18 November 2016, there were 50 truly vacant posts (SNC 9 & CDC 41). Cover was from a mixture of agency and temporary staffing, restructures and there were some vacant posts which were currently being recruited to.

Resolved

(1) That the report be noted.

45 **Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team**

The Head of Strategic Planning and the Economy and Head of Development Management submitted a report which presented the final business cases for a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team across Cherwell District Council (CDC) and South Northamptonshire Council (SNC) and recommended the formation of a Joint Planning Policy and Growth Strategy Team and a Joint Design and Conservation Team and in doing so seeks the Committee's agreement for the staffing elements of the business cases.

The non-staffing elements of the business case would be considered at the 5 December CDC Executive and the 12 December SNC Cabinet meetings.

The proposal was part of the wider transformation programme across the two Councils.

46 **Exclusion of the Press and Public**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

47 **Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team - Exempt Appendices**

The Committee considered the exempt appendices to the business cases for a Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team.

Members asked a number of questions on the exempt appendices to which answers were duly provided.

48 **Readmittance of the Press and Public**

Resolved

That the press and public be readmitted to the meeting.

49 **Draft Business Cases: Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team**

Having readmitted the press and public, the Committee voted on the recommendations.

Resolved

- (1) That having given due consideration to the responses to the consultation process with the affected staff and trade union representatives and from the Joint Councils Employee Engagement Committee, it be determined that no further amendment to the business cases for a Joint Planning Policy and Growth Strategy Team and Joint Design and Conservation Team was required.
- (2) That it be noted that the business cases would be considered in respect of non-staffing matters by Cherwell District Council Executive on 5 December 2016 and by South Northamptonshire Council Cabinet on 12 December 2016.
- (3) That the staffing aspects of the final business cases to create a Joint Planning Policy and Growth Strategy Team and a Joint Design and

Conservation Team between Cherwell District Council and South Northamptonshire Council, subject to similar consideration and approval of the non-staffing aspects of the business case by Cherwell District Council Executive and South Northamptonshire Council Cabinet.

- (4) That, subject to the business case being agreed by both Councils, responsibility for implementation of the business cases, including approving the costs of any potential redundancies, be delegated to the Head of Development Management and the Head of Strategic Planning and the Economy in consultation with the Chief Finance Officer,

50 **Progress on the Establishment of Revenues and Benefits Teckal Company**

The Assistant Director - Transformational Governance submitted a report to update members on progress with regard to the legal and financial due diligence with regard to the setup of joint local authority owned companies and in light of this request members to amend their decision set out in Minute 33, resolution 5 of 15 September 2016 meeting.

Resolved

- (1) That the progress on activities that is taking place with regard to the establishment of the companies be noted.
- (2) That agreement to given to amend the decision of the Joint Commissioning Committee as set out in Minute 33, resolution 5 as set out in resolutions (3) and (4) below.
- (3) That officers be requested to establish and register a joint local authority owned teckal company limited by guarantee operating within a Mutual Trading Status with South Northants Council and Cherwell District Council as equal members of the company to deliver in the first instance a revenues and benefits service to the councils.
- (4) That subject to further tax advice officers be requested to establish and register a joint local authority owned sister trading company with South Northants Council and Cherwell District Council as equal owners, either through company limited by shares or a company limited by guarantee, as appropriate based on financial and legal advice.

(Councillor Reynolds requested that his abstention from the vote be recorded)

51 **Urgent Business - Appointment of Chairman for the Remainder of the Municipal Year 2016/2017**

Resolved

- (1) That Councillor Barry Wood be appointed Chairman of the Joint Commissioning Committee for the remainder of the municipal year 2016/2017.

(Councillor Wood subsequently took the Chair)

52 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 and 4 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

53 **Draft Business Case: Joint Housing Services**

The Head of Regeneration and Housing submitted an exempt report which presented the draft business case for a joint working in Housing Services across Cherwell District Council and South Northamptonshire Council.

Resolved

- (1) That, having given due consideration, the draft business case for Joint Housing Services be endorsed as a basis for consultation with staff and trade unions.
- (2) That it be noted that the financial case for the business case would be finalised once the job evaluation process had been completed and costs were not expected to be higher than those included in the draft business cases, but may be lower and it be further noted that the job evaluation process was underway and was expected to be completed this month and consultation with staff would not commence until the completion of the job evaluation process.
- (3) That, having given due consideration to the 'Review of CDC Build! Team and Regeneration Resources', the development of a full business case to be received at a future meeting be endorsed.

54 **Benefits Realisation Review: Performance and Insight Team**

The Director – Strategy and Commissioning submitted an exempt report which presented a series of recommendations to reconfigure the role of the Performance and Insight Team following the completion of the benefits realisation review.

Resolved

- (1) That, having given due consideration, the recommendations in the Benefits Realisation Review report be endorsed and the report be endorsed as a basis for consultation with staff and trade unions.
- (2) That it be noted that the financial case would be finalised once the job evaluation process had been completed and costs were not expected to be higher than those included in the Benefits Realisation Review report, but may be lower and consultation with staff would not commence until the completion of the job evaluation process.

The meeting ended at 8.15 pm

Chairman:

Date:

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By virtue of paragraph(s) 1, 2, 3, 4 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Cherwell District Council and South Northamptonshire Council

Joint Commissioning Committee

Minutes of a special meeting of the Joint Commissioning Committee held at The Forum, Moat Lane, Towcester, NN12 6AD, on 1 December 2016 at 8.30 pm

Present: Councillor Barry Wood (Chairman)
Councillor Ian McCord (Vice-Chairman)

Councillor Ken Atack
Councillor Anthony S. Bagot-Webb
Councillor Phil Bignell
Councillor Rebecca Breese
Councillor Mike Bishop
Councillor Chris Lofts
Councillor G A Reynolds
Councillor Barry Richards
Councillor Dan Sames

Substitute Members: Councillor Peter Rawlinson (In place of Councillor Roger Clarke)

Apologies for absence: Councillor Roger Clarke

Officers: Sue Smith, Chief Executive
James Doble, Interim Assistant Director Transformational Governance
Natasha Clark, Interim Democratic and Elections Manager

55 Declarations of Interest

There were no declarations of interest.

56 Chairman's Announcements

There were no Chairman's announcements.

57 Urgent Business

There were no items of urgent business.

58 **Exclusion of the Public and Press**

Resolved

That, in accordance with Section 100A(4) of Local Government Act 1972, the press and public be excluded from the meeting for the following item of business, on the grounds that it could involve the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Schedule 12A of that Act and that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

59 **Disciplinary Investigation**

The Commercial Director submitted an exempt report regarding a disciplinary investigation.

Resolved

- (1) As set out in the exempt minutes.
- (2) As set out in the exempt minutes.
- (3) As set out in the exempt minutes.

The meeting ended at 8.35 pm

Chairman:

Date:

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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